

other carbonyl, ether, carboxylic ester, amide and hydroxy containing liquid organic compounds having some solubility in water. Propylene carbonate, ethyl acetate, triethyl citrate, isopropyl myristate, and glyceryl triacetate are preferred because of biocompatibility and pharmaceutical acceptance. --

In the Claims

Please substitute the claim set in the appendix entitled Clean Version of Pending Claims for the previously pending claim set. The substitute claim set is intended to reflect amendment of previously pending claims 1 and 31. The specific amendments to claims 1 and 31 are detailed in the following marked up claims for the Examiner's convenience.

Sub 1

1. (Twice Amended) A composition for delivering a biologically active agent, comprising: an emulsion of a biologically active mixture and a controlled release formulation, the biologically active mixture comprising the biologically active agent and a pharmaceutically acceptable, aqueous medium as a protective carrier; and the controlled release formulation comprising a pharmaceutically acceptable, biodegradable thermoplastic polymer that is substantially insoluble in an aqueous or body fluid and a pharmaceutically acceptable organic solvent having a water solubility of from about 2 percent to about 20 percent by weight relative to a weight of a combination of organic solvent and water.

D2

31. (Amended) A composition of claim 1 wherein the organic solvent is selected from the group consisting of propylene carbonate, diethyl malonate, ethylene carbonate, dimethyl carbonate, 2-ethoxy ethyl acetate, ethyl acetate, methyl acetate, ethyl butyrate, diethyl glutarate [glutamate], tributyl citrate, diethyl succinate, [tributylin,] isopropyl myristate, dimethyl adipate, dimethyl succinate, dimethyl oxalate, dimethyl citrate, triethyl citrate, acetyl tributyl citrate, glyceryl triacetate, methyl ethyl ketone, tetrahydrofuran,